

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 153 of 1998

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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DAHYABHAI L PATEL

Versus

STATE OF GUJARAT

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Appearance:

M/S.VYAS ASSOCIATES for Petitioner

MR. SR DIVETIA APP for Respondent No. 1, 2, 3 & 7

NOTICE SERVED BY DS for

Respondent No. 4, 5, 6

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CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 13/07/98

ORAL JUDGEMENT

Heard learned advocate Mr. D.D Vyas for the petitioner and learned APP Mr. S.R Divetia for respondents Nos. 1, 2, 3 & 7. Rest of the respondents are served. However, they are not represented before me.

2. Petitioner before this Court is the complainant who is aggrieved by the inaction of the respondent authorities in processing his complaint made against the respondents Nos. 4 to 6, who happen to be his wife, son and daughter-in-law respectively. Mr. Vyas has relied upon the several complaints made by the petitioner which are annexed to this petition. On perusal of the same it appears that on 12th March, 1988, petitioner had applied to the District Superintendent of Police, Valsad for police protection. A similar protection was sought by him on 6th April, 1988 also. Petitioner has also made some complaint to the District Superintendent of Police, Valsad and also one before the learned Judicial Magistrate First Class, Valsad being Complaint No. 51 of 1995. The said complaint, however, is in respect of issuance of arrest warrant against the accused persons. It appears that some complaints have also been made in respect of the Arms licence issued in favour of his wife. It appears that at no point of time, the petitioner has made any complaint either to the police authority or before the learned Magistrate in the subject matter of the present petition. It would, therefore, be expedient to direct the petitioner to lodge complaint either in the concerned police Station or before the concerned Magistrate. In absence of a formal complaint having been made by the petitioner, the grievance expressed in this petition is not justified. Petition is, therefore, dismissed. Rule is discharged.

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Prakash\*